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## OFFICIAL RESPONSE

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. DEP0546

Inventor: Serhan et al.  
Serial No.: 09/822,126  
Filed: March 30, 2001  
Title: Intervertebral Connection System

Group Art Unit: 3732  
Examiner: Manahan, Todd E.

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#### CERTIFICATE OF FACSIMILE

I, Amy Schick, hereby certify that this correspondence is being faxed to the USPTO at 571-273-8300 on July 6, 2006.

Amy Schick (signature)  
Amy Schick  
July 6, 2006 (date)

Thomas M. DiMauro (name of Registered Representative)

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NO. OF PAGES (including cover sheet): 27

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Serhan et al. Group Art Unit: 3732 RECEIVED  
Serial No.: 09/822,126 Examiner: Manahan, Todd E. CENTRAL FAX CENTER  
Filed: March 30, 2001  
Title: Intervertebral Connection System JUL 06 2006

**CERTIFICATE OF MAILING**

I, Amy Schick, hereby certify that this correspondence is being faxed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on July 6, 2006.

Amy Schick (signature)  
Amy Schick

Thomas M. DiMauro \_\_\_\_\_ (name of Registered Representative)

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated January 9, 2006 finally rejecting Claims 1,5-12,30,36-39,67-72 and 81 of the above-identified application.

The item(s) checked below are appropriate:

1.  An extension of time to respond to the final rejection was granted on month(s). for
2.  A Petition For Extension Of Time under 37 CFR 1.136 is attached hereto in triplicate.
3.  A timely response to the final rejection has been filed.
4.  Fee \$500.00: for filing of Notice of Appeal  
 Not required (fee paid in prior appeal)  
 Charge to Deposit Account No. 10-0750/DEP-0546/TMD. Two additional copies of this Notice are enclosed herewith.  
 The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/DEP-0546/TMD.

Respectfully submitted,

07/07/2006 MGBREMI 00000054 100750 09822126

01 EC-1401 500.00 PA

Thomas M. DiMauro  
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Date: July 5, 2006

Docket No. DEP-0546

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Serial No.: 09/822,126 Examiner: Manahan, Todd E.  
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Respectfully submitted,

Thomas M. Tiernan 7-6-06

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